Jackie Lane,
Joann Asami,
USEPA REGION 9
75 Hawthorne Street
Mail Code: SFD-3
Mail Code: ORC-1
San Francisco, CA 941

San Francisco, CA 94105
E-Mail: lane.jackie@epa.gov
E-Mail: asami.joann@epa.gov

U.S. Environmental Protection Agency Office of Civil Rights Mail Code 1201A 1200 Pennsylvania Ave NW Washington, D.C. 20460



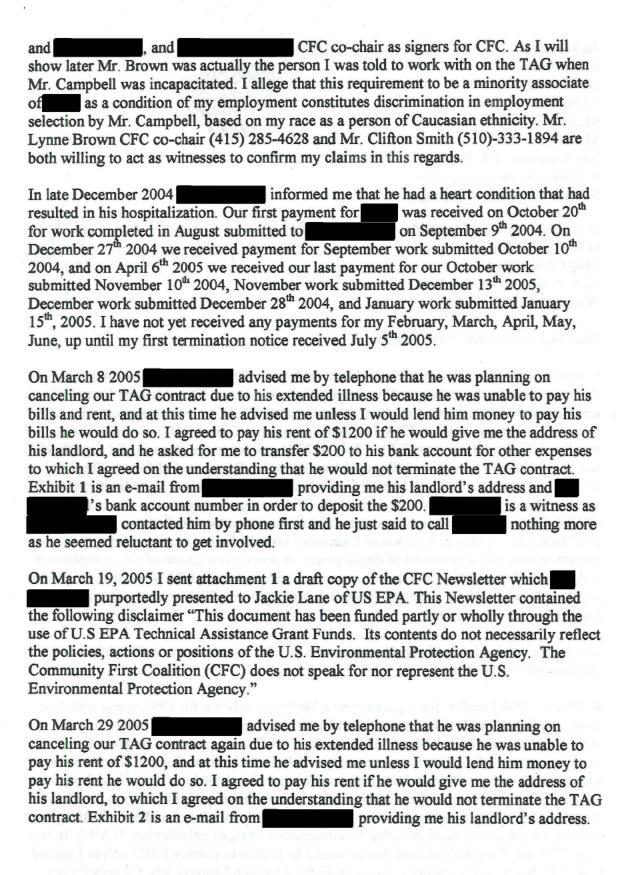
Attachments sent via email to: civiling ht Depagar My 9/8/05

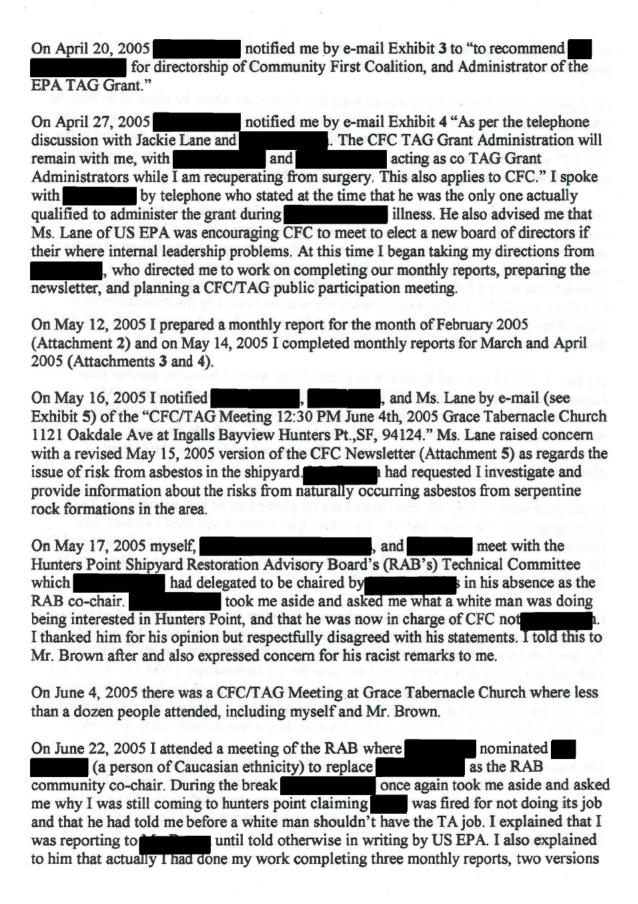
Dear Jackie Lane and Joann Asami,

I wish to bring an administrative complaint with your office alleging harassment and discrimination by my employer Community First Coalition (CFC), and who claim to now represent CFC who is a recipient of a EPA financial assistance under an EPA Technical Assistance Grant (TAG) of which I was hired as a Technical Advisor (TA) in July of 2004, related to the cleanup of a superfund site at the Hunters Point Naval Shipyard located in San Francisco California. The TAG is a three year grant for \$50,000 annually, of which all these funds are to be spent on the TA and therefore I am the actual recipient of the EPA financial assistance in this case not CFC. I allege that I have been the victim of discrimination by so called representatives of CFC based on my race as a person of Caucasian ethnicity in my employment, compensation, and termination of employment. If upon investigation of this complaint it is determined that CFC as a recipient is not in compliance with EPA's nondiscrimination regulations, 40 C.F.R. § 7.130(b), I request a hearing before EPA's Administrative Law Judge (ALJ) on this matter.

The nature and evidence of my discrimination by CFC is as follows, with exhibits and attachments by reference.

In May of 2004 I applied for a position as a Technical Advisor for CFC, along with two other Applicants, , and a . In late July of of CFC that I could not be given this 2004 I was advised by position because of my Caucasian ethnicity and because Hunters Point in San Francisco was a predominantly African American community. He advised me that if I wished to be a CFC TA I would have to form a partnership or association with and . In late July I and share the TA position responsibilities with agreed In late to form a business association called July 2004 advised me he would be unable to employ EMU unless I agreed be the majority owner of to which I agreed. provided me a contract to sign with CFC with myself and as signers for





of a newsletter, and held a June 4, 2005 meeting where Hunters Point residents where present. He also said he had already sent me an e-mail which I didn't ever receive. where he claimed he was the On June 23, 2005 I received an e-mail from "Acting Administrator of the TAG Grant". I responded (see Exhibit 6) that I was in the process of updating the monthly reports and I was working for as directed in the Aril 27th e-mail from . I considered this e-mail to be a form of harassment by Mr. Tompkins acting as an agent for and CFC. On July 5, 2005 I received a copy of a letter from addressed to notifying him that he was terminating the contract between CFC and services (see Exhibit 7). I was not mentioned in the letter nor was my failure to perform any of my duties mentioned as cause for my termination. I was only listed as a cc. I acting as an agent for consider this letter a form of harassment by and CFC. I believe my termination was motivated by discrimination on the wished to have the TA position with CFC and his basis of my race and discrimination was economically motivated. On July 8, 2005 I received Exhibit 8 an e-mail from another non-Hunters Point representative of CFC who was clearly acting on the behalf of who where angry about their loss of the June election for and RAB co-chair position stating the cause was "white women RAB members may have been recruited to stack the vote". This shows evidence of their intent to discriminate on the basis of race. In the third week of July told me by phone that he had attended the RAB meeting and and had attended and tried to unseat as the RAB co-chair, and they had told him was fired from CFC. He also told me he had asked Ms. Lane how they could remove him as a signer on the TAG contract without his consent first? addressed to On August 10, 2005 I received a second copy of a letter from notifying him that he was terminating the contract between CFC and TA services (see Exhibit 9). I was not mentioned in the letter nor was my failure to perform any of my duties mentioned as cause for my termination. I was only listed as a cc. I believe my termination was motivated by discrimination on the basis of my race and individually and acting as an agent for and CFC wished to have the TA position with CFC and his discrimination was economically motivated. On August 13, 2005 I receive another e-mail from where she further demonstares intent to discriminate based on race where she states "RAB members who, like white females raising the issue of racism and "election stacking" by the Navy and its predominantly white contractors" is now focusing her racist attacks even on the Navy (see Exhibit 10).

EPA's regulations give an applicant for, or a recipient of, EPA financial assistance the right to request a hearing before EPA's Administrative Law Judge (ALJ) if OCR determines that the applicant or recipient is not in compliance with EPA's nondiscrimination regulations. 40 C.F.R. § 7.130(b).

The federal nondiscrimination statutes that Part 7 implements are Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d to 2000d-7; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794; Section 13 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. § 1251 note; Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.; and the Age Discrimination Act of 1975, 42 U.S.C. § 6101. These statutes prohibit discrimination by applicants for and recipients of EPA assistance. EPA's nondiscrimination regulations give an applicant for, or a recipient of, EPA financial assistance the right to request a hearing before EPA's Administrative Law Judge (ALJ) if the Office of Civil Rights (OCR) finds that the recipient is not in compliance with EPA's nondiscrimination regulations. 40 C.F.R. § 7.130(b).

Wherefore I respectfully request you grant my request for a hearing on my complaint alleging harassment and discrimination by my employer Community First Coalition (CFC) and provided and

The relief I seek is as follows:

1)	To be paid for all work completed by from February 1, 2005 to the present in full.
2)	That pay me in full the \$2,600 he purportedly borrowed in March 2005.
3)	To reinstated acting as the CFC administrator unless otherwise agreed to in writing by and CFC.
4)	If CFC as a recipient is found to be not in compliance with EPA's nondiscrimination regulations and therefore is ineligible to receive the TAG then that a notice be provided within ninety days in the Hunters Point community for the TAG, and that be granted a positive consideration for the TA position with the grant recipient.
5)	That not be prevented from providing technical assistance or other professional services under any other contract with EPA, or other federal agency for reasons of non-performance by to the CFC TA contract under EPA's TAG.



September 8, 2005

Verification

I am the author of this Complaint herein, and make this verification on its behalf. The statements in the foregoing document are true of my own knowledge, except matters, which are therein stated on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 8th day of September 2005, at Soquel, California.

